

Attorney's Docket: 1999CH017/D
Serial No.: 10/762,982
Group: 1731

REMARKS

In the Office Action, the Office has entered a restriction requirement grouping the claims as follows:

Group I, claims 1-8, drawn to a surface sizing composition and a method of making it; and

Group II, claims 9-11, drawn to a surfaced finished paper and/or board.

On August 25, the undersigned discussed this restriction requirement with Examiner Fortuna. Upon analysis, it was recognized that the grouping of claims was incorrect as such grouping does not reflect the current state of the claims.

Examiner Fortuna then provided Applicants with another grouping as follows:

Group I, claims 7, 8 and 12;

Group II, claims 13 and 14; and

Group III, claims 15 and 16.

Applicants hereby elect Group I, claims 7, 8 and 12, without traverse.

Claim Status

Claims 7, 8 and 12 through 16 are pending in this Application. By this Amendment, claims 13 through 16 have been cancelled as being directed to a nonelected invention and without prejudice to filing a divisional.

New claims 17 to 22 have been added to distinctly claim the subject matter that Applicants regard as the invention. Such claims are supported by the Application as originally filed. No new matter has been added.

As the total number of claims does not exceed the number of claims originally paid for, no fee is believed due. However if an additional fee is required, the Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

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In view of the forgoing amendments and remarks, the present Application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,



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